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Sent: Monday, October 23, 2017 10:11 AM
To: ADMcomment
Cc: kahlilia@gmail.com
Subject: ADM File No. 2015-20

I have read the proposed rule amendments and cannot help but believe that they are specifically directed at me as the Chief Judge of my court has been harassing me through various means ever since my election to the bench.

After I refused to give her my diagnosis despite having provided her with notes from my doctor, I have every reason to believe that she sent the television news to my home to harass me. She then also sent me for a functional capacity test where the majority of the exercises requested of me had no relation to the tasks I must perform at work. I was later berated by the SCAO administrator for Region 1 for refusing to attempt an exercise that involved manipulating objects over my head with my arms raised. I refused this because I have had rotator cuff surgery following a motor vehicle accident that injured my shoulder and spine. Later, I was sent for an IME to a doctor whose specialty is non-surgical treatment of the spine when the reason I was off from work was related to wound infections that were literally leaking from a hole in my thigh. Did I mention that these tests were ordered for AFTER I had returned to work?

I have also been sent bills for the IME despite being told the court would pay. Three days ago, I received yet another collections notice from the DMC for an almost \$1200 bill for services I neither requested nor needed. The chief judge has claimed for months that the court would pay but has failed to do so over the past almost eleven months. The court rule should not give blanket authority for a chief judge to do this to anyone.

Now, she has declared that I am incapable of performing the duties of my job without giving any basis for that decision. Mind you, I have been performing my duties for seven months at this point. Surprisingly, this decision that I am incapable of performing the duties of my job came only after I refused to allow a process server to be used in my courtroom after personally witnessing him failing to attempt to personally serve anyone and pulling the proof of service where I discovered the he also lied about the date and time which he'd "attached" the complaint ... AT THE WRONG ADDRESS. I provided time and date stamped video of this incident that I personally witness from my aunt's vehicle to the presiding judge of my division who replied in an email that she was going to bring the incident to the attention of the chief judge. I was then ordered to reinstate any cases which had been dismissed because of him being the process server and to refrain from dismissing those types of cases. I did not do so. I later was told on the record by four different defendants that this same process server lied about the date on which he had served them. Two of those defendants stated on the record that they were at home at the time of service and the process server failed to attempt personal service by either knocking on the door or ringing the doorbell.

It is clear that these proposed amendments leave far too much discretion to the chief judge and the SCAO Administrator. The JTC has the power to remove a judge from office when the judge has been determined unfit. To adopt this amendment simply allows chief judges with an axe to grind one more mechanism with which to harass duly elected officials. It can also be utilized to cover up the fact that a chief judge is complicit in denying due process notice rights to defendants by covering up that a court officer is failing to properly serve notice. It is already being utilized in this manner by my current chief judge despite that the rule change has not been adopted as of 10:06AM as I am typing this comment which to my understanding means that she has no authority to do so.

I hope that you will consider my comment despite that it has arrived so much past the comment expiration date.

Judge Kahlilia Yvette Davis

36th District Court Judge

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